FBI Audit Report On Use of Informants Sent to Congress

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The FBI has given itself a passing grade on the use of criminal informants, but it's unclear whether Congress will be satisfied with the results.

The report card is a 15-page audit report, ordered early this year by Director William H. Webster to defuse a controversy with Congress over outside access to the bureau's confidential informant files.

In a cover letter to Sen. Edward M. Kennedy (D-Mass.) chairman of the Senate Judiciary Committee, earlier this month, Webster said that the internal study showed that FBI field offices were in "substantial compliance" with bureau guidelines for handling informants.

The audit did uncover some irregularities, including:

- A now retired agent who didn't get receipts for payments to several informants.
- Several field divisions that didn't separate informant files or accurately maintain logs of who had access to the sensitive documents.
- 23 agents handling informants who didn't fully understand the existing guidelines.

The issue of informants confidentiality and congressional oversight of their performance is expected to be debated sharply during consideration of the FBI's first legislative charter.

Rep. Don Edwards (D-Calif.), chairman of the House Judiciary subcommittee that will act on the charter, has been quarreling with Webster over the director's refusal to give the General Accounting Office access to raw informant files.

Webster repeated his resistance in the letter to Kennedy, saying "it is not possible" to allow outside inspection of files that might "create the impression that we are no longer able to maintain that confidentiality."

Edwards and some other congressional leaders insist outside examination of informant files is needed to ensure there is no repeat of the abuses unncovered in the early 1970s. It was learned then that some informants spied on political groups and sometimes provoked violence.

"It's a question of how satisfied we should be about someone giving themselves their own grade," a Kennedy aide said of the FBI audit.

All 2,847 active criminal informant files were inspected as part of the audit, as well as 932 samples of closed files, the report said.

The finding that some internal security procedures weren't being followed properly is of concern, a spokesman said, because an FBI clerk in Cleveland was prosecuted last year after she was caught selling confidential informant data to organized crime figures.